

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**COLBY 2021, LLC, a Kansas limited
liability company;**

Plaintiff,

vs.

**CITY OF PLAINVIEW; BRIAN
SCHLOTE, in his official capacity as
Mayor of Plainview; BOB SMITH,
TYLER SANNE, BRYON ALDER, and
PAM YOSTEN, in their official
capacities as members of the Plainview
City Council,**

Defendants.

8:21CV359

ORDER

This matter comes before the Court following a telephone conference held with counsel for the parties on July 19, 2022, before the undersigned magistrate judge. In accordance with the discussion,

IT IS ORDERED:

1. This case and all outstanding deadlines are stayed pending Plaintiff's application under the City's most recent Ordinance.
2. On or before **September 19, 2022**, and every 60-days thereafter, the parties shall file a joint report regarding the status of Plaintiff's application.
3. On or before **January 20, 2023**:
 - a. If the parties have resolved Plaintiff's claims, they shall file a joint stipulation of dismissal (or other dispositive stipulation) that will fully dispose of this case; or
 - b. If the parties have not resolved Plaintiff's claims, Plaintiff is given leave to file a Fourth Amended Complaint.
4. The deadlines for the parties to file a joint Rule 26(f) Report and serve mandatory disclosures is extended to 14-days after Defendants file an answer to Plaintiff's Fourth Amended Complaint, if filed.

Dated this 19th day of July, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge